

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

GORDON ROY PARKER, a/k/a	:	CIVIL ACTION
"Ray Gordon, Creator of the	:	
Pivot," d/b/a Snodgrass	:	
Publishing Group	:	NO. 08-CV-829
	:	
vs.	:	
	:	
PAUL TRUONG and SUSAN POLGAR	:	

ORDER

AND NOW, this 8th day of June, 2009, upon consideration of the Motion of Defendants Paul Truong and Susan Polgar to Dismiss for Non-Compliance with the Court's January 2, 2009 Order (Docket No. 42), Plaintiff's Response thereto and Plaintiff's Motion for Extension of Time to Serve Defendants or for Alternative Service by Mail (Docket No. 43), it is hereby ORDERED that Defendants' Motion is DENIED, Plaintiff's Motion is GRANTED and Plaintiff is given forty-five (45) days to effectuate service upon defendants by publication in one newspaper of general circulation and one legal publication in the county and state in which the defendants reside and by mailing via regular mail a copy of his Amended Complaint to the defendants' last known business and residence addresses.¹

¹ While Plaintiff has in fact failed to comply with the directive given in our Memorandum and Order of December 29, 2008, it appears that the defendants have been avoiding service of process. Accordingly, we shall grant Plaintiff one last extension to accomplish service of process via publication and regular mail. See generally, Fed. R. Civ. P. 4(e); Pa. R. C. P. 403, 430.

Plaintiff is FURTHER ORDERED to file proof of publications and mailing with the Clerk of Court, once accomplished.

BY THE COURT:

s/J. Curtis Joyner
J. CURTIS JOYNER, J.